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6 IN THE UNITED STATES DISTRICT COURT

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10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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JOHN PATRICK MCGUIRE,

No. C 15-05224 WHA

Plaintiff,

v.

WILLIAM FRYE, et al.,

Defendants.

**ORDER GRANTING  
DEFENDANT'S EX PARTE  
APPLICATION FOR  
EXTENSION OF TIME TO FILE  
RESPONSIVE PLEADING**

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A previous order adopted in full the report of Magistrate Judge Joe Spero, which recommended that plaintiff John McGuire's pro se complaint be dismissed (Dkt. No. 10). Plaintiff filed an amended complaint on March 17, 2016, which was served on defendant on April 28, 2016. Now, defendant asks the court for an extension of 30 days to respond to plaintiff's complaint in order to obtain certified records from the Sonoma County Court. Defendant contends that the court records will show that the claims alleged in plaintiff's amended complaint are barred by res judicata. Defendant has not previously sought an extension of time. According to a declaration by defendant's attorney, plaintiff has been contacted about the extension and is agreeable to it. Defendant's application for an extension is **GRANTED**. Defendant shall respond to the amended complaint by **NOON ON JUNE 20, 2016**.

**IT IS SO ORDERED.**

Dated: May 17, 2016.

*Wm. Alsup*  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE